

# Driver Responsibility Program

On August 11, 2003, Governor Granholm signed into law Public Act 165 of 2003 – known as the driver responsibility law – effective October 1, 2003.

In an effort to promote greater traffic safety, the Michigan Legislature enacted this law to deter potentially dangerous driving behavior, thereby saving lives. New Jersey introduced a driver responsibility program in the mid-1980s. Texas and Michigan launched similar programs in 2003.

By law, the collection of driver responsibility fees is a new responsibility of the Department of State. However, the revenues collected do not benefit the department. They go to the General Fund with set revenues in excess of \$65 million (up to \$3.5 million) being directed to a newly created Fire Protection Fund.

The Driver Responsibility Program calls for monetary sanctions for drivers who:

- **Accumulate seven or more points on their driving records (Category 1), or**
- **Are convicted of specific qualifying offenses (Category 2)**

Only driving offenses with arrest or incident dates on, or after, **October 1, 2003**, will be counted. Points accumulated prior to October 1, 2003 are not eligible for consideration under this new law.

## Category 1 Offenses

**Category 1 offenses, such as speeding, improper turns, and following too closely, are assessed a fee based on the number of points on the driving record, with a required minimum of seven points.** The fees assessed begin at \$100 and increase by \$50 for each additional point above seven points.

7 Points	8 Points	9 Points	10 Points	11 Points	12 Points	13 Points	14 Points	15 Points
\$100	\$150	\$200	\$250	\$300	\$350	\$400	\$450	\$500

Drivers assessed a fee for seven or more points under **Category 1** will be assessed only once per year. **Category 1** fees will not be assessed in any year in which the number of points on a driving record falls below seven.

## Category 2 Offenses

**Certain offenses are classified as “qualifying offenses” and carry their own driver responsibility fee independent from the number of points on the driving record.** Drivers convicted of qualifying offenses will be assessed a driver responsibility fee of \$150, \$500 or \$1,000 for two consecutive years. The amount is determined by the relative seriousness of the offense. For example:

Drunk Driving (Operating While Intoxicated) - \$1,000  
Reckless Driving - \$500  
No Proof of Insurance - \$150

Points from **Category 2** offenses and convictions are **NOT** counted toward the point total for **Category 1**.

Multiple driver responsibility fees are assessed if a driver is convicted of multiple qualifying offenses under **Category 2**.

Driver responsibility fees are assessed for **two consecutive years** for **Category 2** convictions. The second year's fees will be assessed on the anniversary date of the first year's fees.

## Fee Assessments and Payments

Failure to pay, or arrange to pay, results in an indefinite suspension of a driver's license until full payment is made.

As with other suspensions, a reinstatement fee of \$125 is required before the license is restored.

Fee assessments apply to both licensed and unlicensed drivers.

## Category 2 – “Qualifying Offenses”

### Assessed \$1,000 per year for two years = \$2,000

Section of Law	Violation
MCL 257.625(1)	Operating While Intoxicated
MCL 257.625(4)	Operating While Intoxicated or While Impaired Causing Death
MCL 257.625(4)(b)	Operated While Intoxicated or While Impaired By Liquor Causing Death of An Emergency Responder
MCL 257.625(5)	Operated While Intoxicated or While Impaired By Liquor Causing Serious Injury
MCL 257.625(4)	Operated While Intoxicated or While Impaired By Controlled Substance Causing Death
MCL 257.625(5)	Operated While Intoxicated or While Impaired By Controlled Substance Causing Serious Injury
MCL 257.625m	Operated Commercial Motor Vehicle with BAC .04 - .07
MCL 750.321	Manslaughter
MCL 750.324	Negligent Homicide
MCL 750.316/317	Murder/Auto Used
Various	Felony/Auto Used
Various	Felony With Auto Used
MCL 257.626c	Felonious Driving
MCL 750.413	Unlawful Driving Away Auto
MCL 257.617	Failed to Stop or Identify After P.I. Accident Causing Serious Impairment of a Body Function
MCL 257.617(3)	Failure to Stop or Identify After P.I. Accident Causing Death
MCL 257.617a	Failed to Stop After P.I. Accident
MCL 257.618	Failed to Stop or Identify After P.D. Accident
MCL 257.602a(5)	Fleeing and Eluding officer 1 <sup>st</sup> Degree – Causing Death
MCL 257.602a(4)	Fleeing and Eluding Officer 2 <sup>nd</sup> Degree – Causing Serious Injury
MCL 257.602a(3)	Fleeing and Eluding Officer 3 <sup>rd</sup> Degree
MCL 257.602a(2)	Fleeing and Eluding Officer 4 <sup>th</sup> Degree
MCL 257.601b(2)	Failure to Use Due Care and Caution Causing Injury of a Construction Worker
MCL 257.601b(3)	Failure to Use Due Care and Caution Causing Death of a Construction Worker
MCL 257.601c(1)	Fail to Use Due Care Causing Injury of Person Operating Implement of Husbandry
MCL 257.601c(2)	Fail to Use Due Care Causing Death of Person Operating Implement of Husbandry
MCL 257.653a(3)	Failure to Yield For an Emergency Responder Causing Injury
MCL 257.653a(4)	Failure to Yield For an Emergency Responder Causing Death
MCL 324.82127(4)	Snowmobile – OUIL Causing Death
MCL 324.82127(5)	Snowmobile – OUIL Causing Serious Impairment of A Body Function
MCL 324.82127(4)	Snowmobile – Operating Under the Influence of Controlled Substance Causing Death
MCL 324.82127(5)	Snowmobile – Operating Under the Influence of Controlled Substance Causing Serious Impairment of A Body Function
MCL 324.82157(4)	Snowmobile – Felony/Snowmobile Used
MCL 324.81134(1)	ORV – Operated Under the Influence of Liquor
MCL 324.81134(1)	ORV – Operated Under Influence of Controlled Substance
MCL 324.81134(1)	ORV – Combined Operated Under Influence Liquor/Controlled Substance
MCL 324.81134(2)	ORV – Unlawful Bodily Alcohol Content (.10)
MCL 324.81134(1)	ORV – Combined Operated Under Influence Liquor/Unlawful Bodily Alcohol Content
MCL 324.81134(3)	ORV – Allowed Person Under Influence Alcohol/Controlled Substance To Operate
MCL 324.81134(7)	ORV – OUIL/OUID/OWI Causing Death
MCL 324.81134(8)	ORV – OUIL/OUID/OWI Causing Serious Impairment of A Body Function

### Assessed \$500 per year for two years = \$1,000

MCL 257.625(3)	Operating While Impaired By Liquor
MCL 257.625(3)	Operated While Impaired By Controlled Substance
MCL 257.625(3)	Combined OWI and Controlled Substance
MCL 257.625(6)	Person Under 21 With BAC
MCL 257.625(8)	Operating With Presence of Drugs (OWPD)
MCL 257.625(7)	Child Endangerment
MCL 257.626	Reckless Driving
MCL 257.904(3)	Drove While License Suspended/Revoked/Denied
MCL 257.904(16)	Drove Commercial Motor Vehicle While Disqualified
MCL 257.904(4)	Drove While License Suspended/Revoked or Denied Causing Death
MCL 257.904(5)	Drove While License Suspended/Revoked or Denied Causing Serious Injury

### Assessed \$150 per year for two years = \$300

MCL 257.301	Drove While Unlicensed or License Not Valid
MCL 257.301	Drove w/o Proper License/Endorsement/Vehicle Group Designator
MCL 257.328(1)	No Proof of Insurance
MCL 257.328(1)	No Insurance
MCL 257.301	Drove While License Expired